

Assembly Bill No. 2135

CHAPTER 131

An act to add Section 23300.1 to the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor August 17, 2016. Filed with
Secretary of State August 17, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2135, Levine. Alcoholic beverages: revenue sharing.

Existing law, the Alcoholic Beverage Control Act, which is administered by the Department of Alcoholic Beverage Control, regulates the application, issuance, and suspension of alcoholic beverage licenses. Existing law establishes specified types of alcoholic beverage licenses and prescribes the rights and duties of the respective licensees. Existing law prohibits a person from exercising a privilege or performing any act for which a license is required, and a violation of this prohibition a misdemeanor or a felony, as specified.

This bill would specify that a written agreement regarding the sharing or splitting of gross revenue from the sale of alcoholic beverages between a licensee and a district agricultural association, the California Exposition and State Fair, a county fair, or a citrus fruit fair, in connection with the sale of alcoholic beverages during a state or county fair is not the exercise of a license privilege or performance of an act for which a license is required, except as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 23300.1 is added to the Business and Professions Code, to read:

23300.1. (a) A written agreement regarding the sharing or splitting of gross revenue from the sale of alcoholic beverages between a licensee and a district agricultural association, the California Exposition and State Fair, a county fair, or a citrus fruit fair, in connection with the sale of alcoholic beverages during a state or county fair is not the exercise of a license privilege or performance of an act for which a license is required, unless the agreement, or any other related agreement or understanding, results in an unlicensed person exercising control or undue influence over a licensee or the operation of a licensed business.

(b) Notwithstanding subdivision (a), all other provisions of this division shall apply to the written agreement.

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